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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91224781
Party	Plaintiff Birchbox, Inc.
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Date	04/13/2016
Attachments	Birchbox - Stipulated Amendent to Application- Withdrawal of Opposi- tion.pdf(87670 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BIRCHBOX, INC.  <div style="text-align: center;">Opposer,</div> <div style="text-align: center;">v.</div> BIRDIEBOX, LLC  <div style="text-align: center;">Applicant.</div>	Opposition No.: 91224781  Mark: BIRDIEBOX Serial No.: 86164031 Filed: January 13, 2014
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**STIPULATED AMENDMENT OF APPLICATION, CONTINGENT  
WITHDRAWAL OF OPPOSITION, AND REQUEST TO SUSPEND**

BirdieBox, LLC (“Applicant”) requests amendment to the recitation of goods in U.S. Trademark Application Serial No. 86164031 to delete all instances of the term “lifestyle products” from Class 35 as shown below. No amendments are being made to Class 28.

**Class 35:**

On-line retail store services in the field of golf ~~and golf lifestyle products~~; consumer subscription services in the field of golf ~~and golf lifestyle products~~; promoting the goods and services of others by providing a web site featuring information, reviews and advice about products, discounts and coupons, and links to the web sites of others, all in the field of golf ~~and golf lifestyle products~~; providing commercial information regarding customer preferences and product usage concerning golf ~~and golf lifestyle products~~; merchandising services for assembling pre-packaged gift boxes provided to attendees or participants at golf tournaments and corporate events

The requested amendment is limiting in nature, and thus complies with Trademark Rules 2.71-2.75. Birchbox, Inc. (“Opposer”) consents to entry of the above amendment pursuant to Trademark Rule 2.133.

Opposer hereby withdraws the above-referenced opposition with prejudice, contingent upon the Board’s entry of Applicant’s amendment above to the recitation of goods in Application Serial No. 86164031. If the Board denies Applicant’s amendment to this application, the parties respectfully request that proceedings be suspended to allow them time to consider the Board’s order, and file any necessary papers or further amendments.

Respectfully Submitted,

BIRDIEBOX, LLC

/Douglas I. Wall/  
Douglas I. Wall  
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Dated: April 13, 2016

BIRCHBOX, INC

/Robert D. Litowitz/  
Robert D. Litowitz  
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1919 M Street, NW, Suite 610  
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Dated: April 13, 2016

**CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing STIPULATED AMENDMENT OF APPLICATION, CONTINGENT WITHDRAWAL OF OPPOSITION, AND REQUEST TO SUSPEND was served by first class mail, postage prepaid, on April 13, 2016 upon counsel for Applicant at the following address of record:

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